IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.22945 of 2006

–

Dated: November 6, 2006

–

–

Between:

N.V.A. Padmanabha Swamy, S/o. Seetharamachari,
Aged about 24 years, R/o. D. No.1-64, Dwaraka-
Tirumala (V&M), West Godavari District.

… Petitioner

And

S.V.S. Devasthanam, rep. by its Executive Officer &
Regional Joint Commissioner, Dwaraka Tirumala,
West Godavari District, and another.

… Respondents

Order:

Having regard to the nature of relief sought for, the writ petition is being disposed of at the admission stage.

2. This writ petition has been filed seeking Mandamus to declare the action of the first respondent in not allowing the petitioner to appear for written test and interview for selection and appointment to the post of 'Cook' as arbitrary and illegal.

3. Heard Smt. N. Indrani for the first respondent and learned Government Pleader for Employment and Training for the second respondent.

4. The case of the petitioner, who claims to have passed S.S.C., and registered with the local Employment Exchange, is that the first respondent has requisitioned names from the local Employment Exchange to consider their candidature for appointment to the post of 'Cook' and the written test and interview is scheduled to be held on 09-11-2006.

5. It is stated that as the petitioner was not sponsored by the Employment Exchange, he directly made an application dated 18-10-2006 to the first respondent to consider his candidature for appointment to the said post. The grievance of the petitioner is that his candidature is not being considered by the first respondent on the ground that he is not being sponsored by the employment exchange, which is contrary to the judgment of the Apex Court, in the case of **Excise Superintendent, Malakapatnam V. Vishweswara Rao**[1].

6. Though sponsoring of candidates through Employment Exchange is treated as one of the known sources of candidates for consideration for employment in Government service and public sector undertakings, there does not exist any prohibition for them in considering the cases of eligible candidates, even if not sponsored by the Employment Exchange.

7. In the circumstances, I dispose of the writ petition directing the respondents to consider the candidature of the petitioner and allow him to appear for written test, if he is eligible, along with the candidates

sponsored by the local Employment Exchange. However, it is made clear the case of the petitioner shall be considered subject to his possessing requisite qualifications and complying all other conditions notified for selection and appointment to the said post. No order as to costs.

JUSTICE R. SUBHASH REDDY.

November 6, 2006
Note: Furnish C.C. tomorrow
B/o
MRR

[1] **1996 (6) Scale 676**